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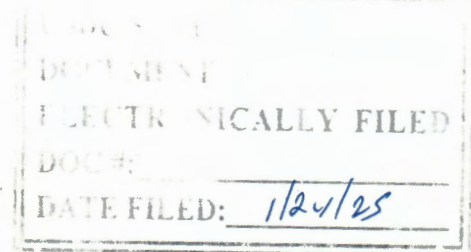
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January 15, 2025

MEMO ENDORSED

VIA ECF

Hon. Louis L. Stanton
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 1007-1312



Re: *Apollo Healthcare Corp. v. Sol De Janeiro USA Inc., et al.*, No. 1:22-cv-07719-LLS

Dear Judge Stanton:

We represent Counterclaim-Plaintiffs Sol de Janeiro USA Inc. and Sol de Janeiro IP, Inc. (together, "Sol de Janeiro"). We write in response to Apollo's January 14 letter (ECF 324) seeking leave to file a motion to strike proposed facts contained in Sol de Janeiro's proposed findings of fact, which Sol de Janeiro served on Apollo on January 10, 2025, pursuant to Individual Rule 4.A.1 (the "Proposed Findings of Facts").

There is no need or cause for a motion to strike since the Proposed Findings of Fact have not been filed with the Court or otherwise put on the record. If Apollo disagrees with any of the Proposed Findings of Fact, the proper course of action is provided by the Court's Individual Rules. Specifically, Apollo may, by January 31, inform Sol de Janeiro which proposed facts it contests and serve its proposed counter-findings of ultimate fact. If Apollo does so, this disagreement will appear on the record when the pre-trial order is filed. To the extent Apollo's January 14 letter is a disguised attempt to relitigate its motion to strike Sol de Janeiro's jury demand, the Court has already ruled on the issue twice. (ECF 319 & 323.)

Correct.
LLS
1/24/25

Accordingly, Sol de Janeiro respectfully requests that the Court deny Apollo permission to file a motion to strike.

Respectfully Submitted,

/s/John Margiotta

John P. Margiotta

cc: All Attorneys via ECF